

Executive Summary

of the

**Interim review request under Article 11(3) of Regulation 2016/1036 and
Article 19 of Regulation 2016/1037 concerning Graphite Electrodes from
India**

Submitted by

HEG Limited

1. Product concerned

The product concerned is electrodes of a kind used for electric furnaces, with an apparent density of 1.65 g/cm³ or more and an electrical resistance of 6.0 $\mu\Omega\cdot\text{m}$ or less, currently falling within CN code ex 8545 1100 (TARIC code 8545 1100 10) and nipples used for such electrodes currently falling within CN code ex 8545 9090 (TARIC code 8545 9090 10) whether imported together or separately originating in India.

Graphite electrodes (GE) are used in electric arc furnaces (EAF), to produce steel from steel scrap. GE demand follows the production of steel products using the EAF method, as confirmed by the Commission's investigations.¹

2. Summary of the Request

This Request is made by HEG Limited (HEG) under Article 11(3) of Basic Anti-dumping (AD) Regulation² and Article 19 of the Basic Anti-subsidy (AS) Regulation³ and concerns the AD and AS measures imposed on GEs from India ("the GE measures").

Following an expiry review, Regulations 2017/422⁴ and 2017/421⁵ further extended the GE measures for a 5-year period.

Since the adoption of Regulations 2017/421 and 2017/422 in March 2017, two major changes of lasting nature have occurred which merit a reassessment of the injury findings and a review as to whether the continuation of the GE measures is still in the Union interest:

- first, the composition of the EU industry has changed due to the changes in the structure and ownership of two of the three main EU producers, i.e. SGL/Showa Denko and Tokai; and
- second, the environmentally-driven increasing use of electric arc furnaces in steel production worldwide has substantially increased the demand for GE, and has led to a global GE shortage, which in turn has caused a massive and lasting shift upward in global GE prices.

In light of the changed circumstances, HEG respectfully requests that the Commission initiate an interim review with a view to terminate the GE measures based on a finding that imports from India no longer cause injury and /or that the continuation of the measures is no longer in the Union interest.

¹ See e.g., Commission Implementing Regulation (EU) 2017/421 of 9 March 2017 imposing a definitive countervailing duty on imports of certain graphite electrode systems originating in India following an expiry review pursuant to Article 18 of Regulation (EU) 2016/1037 of the European Parliament and of the Council, OJ 2017 L64/10, recital 168.

² Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union, OJ 2016 L176/21.

³ Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union, OJ 2016 L176/55.

⁴ Commission Implementing Regulation (EU) 2017/422 of 9 March 2017 imposing a definitive anti-dumping duty on imports of certain graphite electrode systems originating in India following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council, OJ 2017 L64/46.

⁵ Commission Implementing Regulation (EU) 2017/421 of 9 March 2017 imposing a definitive countervailing duty on imports of certain graphite electrode systems originating in India following an expiry review pursuant to Article 18 of Regulation (EU) 2016/1037 of the European Parliament and of the Council, OJ 2017 L64/10.

3. Interested parties

EU GE producers
GrafTech France S.N.C.
GrafTech Iberica S.L.
Showa Denko Carbon Holding GmbH
Showa Denko Carbon Spain S.A.
Tokai Erftcarbon GmbH
Indian GE producers
HEG Limited
Graphite India Limited

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